

REMARKS

Claims 1-27 are pending in the application. Reconsideration and a withdrawal of the rejections is hereby respectfully requested.

The claims have been amended to more particularly articulate the Applicant's invention. The Examiner noted that the original claim numbering omitted claim number 21. In accordance with the Examiner's suggestion, the claims are listed in the order in which the Examiner examined them (1-27).

1. The 102(a,e) Rejection over Berenson et al. should be withdrawn.

Claims 1-10 stand rejected under 35 U.S.C. 102(a,e) as being anticipated by US Patent Application 2001/0049617 ("Berenson"). This rejection is respectfully but strenuously traversed and reconsideration and a withdrawal of the rejection is hereby respectfully requested.

The Examiner contends that the Applicant's invention is disclosed by Berenson. However, a reading of Berenson shows that Berenson attempts to do something which is not the Applicant's invention. For example, at par. [0018] of Berenson, Berenson discusses a problem in the art where a user creates an appointment it is the user's responsibility to make sure the event data is current and has not changed. Applicant's invention provides a system where the user may include events posted by the user as well as events populated from for example, a team coach.

Berenson appears to operate in a different manner using a different method. Berenson discloses that for its updating system to operate, the Berenson system needs to know what type of calendar the user has. (See Berenson at [0033]) If the format is not correct, then it would appear that the Berenson user would not receive the message. Applicant provides the user with a calendar which not only is capable of being populated with the user's personal event data, but also may receive event data and be populated with that data as well. Applicant's invention does not operate through determination of what type of calendar the user has. This is an important distinction in appreciating the Applicant's system, which claims providing a calendar for users and potential users.

Applicant's invention is further distinguishable over Berenson in that Berenson requires users (the owner of the calendar) to initiate requests from a generating system, so that the generating system will send an event message to the requesting system. This is a problem for which the Applicant's system attempts to remedy. The Berenson system would appear to require the user to make requests for each generating system. This is clear from reading Berenson, as well as reviewing the Berenson claims. Berenson appears to relate to television broadcast scheduling of programs. Thus, according to the Berenson system, assuming a user to be one who is a member of several teams or organizations, he or she would face the problems of having to generate requests so that event messages are sent back to the requester. At least this is what Berenson appears to disclose. Even the claims of Berenson would appear to show this.

Applicant's invention, as recited in claim 1, and the claims depending therefrom, recites a system with user data identifying each user or *potential user* of the system. This language distinguishes Applicant's invention over Berenson. A potential user of an Applicant's system has user data and a calendar even prior to that user accessing its calendar. Berenson does not appear to disclose providing a calendar for potential users.

Applicant in order to more particularly distinguish the present invention has amended claim 1 to include the feature of:

wherein each user is provided with an electronically generated calendar, and wherein a potential user is notified of a first populated event on said user's calendar prior to the potential user accessing the user's calendar

Berenson appears to require user requests.

Berenson's disclosure confirms this:

There are *two ways a user may request event messages*. The first way is by *requesting a reminder* for a particular program. This type of reminder may be requested by following a link directly from the public events schedule, or by entering the particular event in a search request query. The second way a user may request an event message is by *entering an event criteria request*. To do this, the user enters a search query screen (by following the appropriate link on the calendaring system web site) and enters a set of criteria, which match the kinds of programs the user wishes, as described above. The resulting event message requests from either method are stored in the user database 308. A program run by the staging processor 302 regularly searches for any unfulfilled event message requests and sends them at the appropriate time. A program also identifies new event message requests to be executed.

Berenson at [0027]

Applicant's invention, on the other hand, provides a system where a user using the Applicant's system may generate an event message without the user having to go to each web site, or find each location from which the event comes. For example, if a user of the Applicant's invention is a member of two school teams, a township team, band, and a church group, the user may have a single calendar, and the calendar can be populated with events from those groups of which the user is a member. In the past, prior to Applicant's invention, prior methods and systems have required the user to search and select groups from which to receive mailings, such as event postings. In the Applicant's invention users may have their calendars populated by being a member of a particular group. The step which Berenson appears to require of having the user actively obtain from the generating system events that fit the user's criteria (e.g., television programming), is not required by the users of the Applicant's system. Applicant's system enables a first user, say for example, to have posted to that first user's calendar events posted by one or more other users, including, for example, a team coach user, as well as a best friend user. The first user does not need to go out and provide criteria for receiving all messages from coach user or from best friend user. Rather, the messages are made available to that user's specific user data information, and that is used to populate the user's calendar. In other words, in accordance with the Applicant's present invention, a user who is new to the system is notified of having a calendar (available to that user) and an event on its calendar (which is available to that user) prior to the user accessing a calendar for the first time.

In Applicant's system the event data is designed to come to the user. As Applicant's claim 1 recites, "user data identifying each user or potential user of the

system". Hence a potential user is not disclosed by Berenson. Applicant's invention enables user data to be created for existing users as well as potential users. Therefore, a means for providing the user with information indicating to the user that the user has a calendar, which has an event on it was not generated by the user's requesting system, rather it, unlike Berenson, does not require the user to enter event criteria.

In addition, Applicant's invention is not obvious in view of Berenson for further reasons. Applicant's invention provides a novel system for scheduling events simultaneously onto a plurality of calendars. The system of the Applicant facilitates scheduling, and permits one user to view events on another user's calendar. The Applicant's system also provides the ability to populate a user's calendar with personal user data from one file and global data pertaining to the user from a global file. This important feature permits a team coach, for example, to send an event to each user which is a team member for population on that user's calendar. However, the user also may have data which is on that user's calendar which is personal (e.g., doctor's appointments). The user may have the team member data from the coach events appear on the user calendar with the user's other events.

The invention also has the features of being able to share the user's calendar with one or more other users, but exclude the remaining users. In this manner, a parent, for example, may share a calendar with three children, but exclude from viewing that calendar, the coaches of teams of which those children are participants.

The Applicant's invention permits notification when an event is posted to a calendar, as well as aliasing means, so that if a user signs up for one team using one email address, and another team using another email address, the user will be

recognized as a single user, so that the user's calendar, regardless of which email address is used or associated with a respective team, will receive events from both (or all) teams which are posting events for this user. This feature is also important.

2. The 103(a) Rejection over Berenson et al should be withdrawn.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being anticipated by US Patent Application 2001/0049617 ("Berenson"). This rejection is respectfully but strenuously traversed and reconsideration and a withdrawal of the rejection is hereby respectfully requested.

For the same reasons set forth above, claim 11 is not obvious in view of Berenson and should be patentable.

3. The 103(a) Rejection over Berenson et al should be withdrawn.

Claim 12-20, and 21-27 stand rejected under 35 U.S.C. 103(a) as being anticipated by US Patent Application 2001/0049617 ("Berenson") in view of the Microsoft reference. This rejection is respectfully but strenuously traversed and reconsideration and a withdrawal of the rejection is hereby respectfully requested.

First, for the same reasons set forth above, claims 12-20 and 21-27 are not obvious in view of Berenson even when combined with the Microsoft reference. Accordingly, these claims also should be patentable. Claim 23 (previously misnumbered as claim 24) which is the other independent claim beside claim 1, has been amended to contain the following language to more particularly distinguish the Applicant's invention:

wherein the step of storing on the data storage means a user data file wherein the user data file contains information pertaining to a user, includes information pertaining to a potential user if the user has not already become a user.

Claim 27 has also been amended to more clearly and particularly articulate the Applicant's invention. Claim 27 now recites the feature that prior to the calendar owner's initialization of his or her calendar, the person's calendar may be populated with an event pertaining to that person:

associating with a person a calendar and notifying the person when there is an event posted to the person's calendar, and providing means for permitting the person to initialize, access and view the person's calendar, wherein a calendar event may be posted to the person's calendar prior to the time that the person to whose calendar the event was posted has initialized the calendar.

For these reasons, claims 23 and 27 and the claims depending therefrom, should be patentable over the cited art.

Second, the Microsoft reference does not appear to contain events which can be made private or for viewing by one or more particular users. Applicant's invention permits, for example, a first user on a team to share, say for example, team events with a second user and band events with a second user, but not doctor's appointments, for example regardless of the timeframe in which these team events, band events or doctors appointments are scheduled to occur. The Microsoft reference would appear to be useful for calendar scheduling, but does not appear to mention permission for

events that are not yet scheduled, such as the next successive team event or band event. Applicant's specification provides that --- "The option of making the event private can be selected by the user to make the user-posted event to the user's own calendar inaccessible to other users, even those users who are permitted to otherwise share (i.e., view) the user's calendar." ([0116] of the Applicant's Published Specification). The Examiner contends that the references show when a user has available time, but the references do not appear to provide event specific regulation for a user to permit one or more other users to view the calendar, and privatize events.

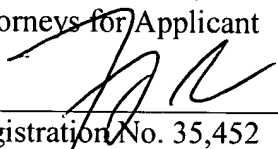
These additional reasons support the patentability of the Applicant's invention.

CONCLUSION

Applicant's invention is believed to be patentable in that the pending claims overcome the rejections set forth by the Examiner. If further matters remain in connection with this case, the Examiner is invited to telephone the Applicant's undersigned representative to resolve them.

If an extension of time is required, one is hereby requested.

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